

The parties provide the following proposed briefing schedule for the Court's consideration:

- January 31, 2024 – Defendants file the administrative record for the Final Rule;
- February 9, 2024 – Texas files its motion for summary judgment;
- February 20, 2024 – Defendants file their combined response to Texas's motion for summary judgment and their own cross-motion for summary judgment;
- February 27, 2024 – Texas files its combined response to the Defendants' cross-motion and its reply in support of its motion for summary judgment;
- March 5, 2024 – Defendants file their reply in support of their cross-motion.

The parties still agree that the Court may resolve this matter on the papers and defer to the Court on the necessity for a summary judgment hearing ahead of the March 29, 2024 deadline. If the Court sets a hearing, it would not be evidentiary, and the parties would provide oral argument in support of their positions.

If the Court believes this schedule will not provide sufficient time to resolve this case on the merits, then the parties will proceed with the preliminary injunction briefing schedule ordered by the Court. *See* Dkt. 12.

Dated: January 26, 2024

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on January 26, 2024, a copy of the foregoing document was electronically filed on the CM/ECF system, which will automatically serve a Notice of Electronic Filing on all attorneys of record in this case.

/s/ Logan Harrell

LOGAN HARRELL

Assistant Attorney General